From: Schnepp, Jason
To: Ogulei, David
Cc: Romaine, Chris
Subject: Continental
Date: Tuesday, October 02, 2012 1:51:15 PM

David,

Please take a look at this definition a little closer:

40 CFR 52.21(b)(48)(ii)(c): The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. However, if an emission limitation is part of a maximum achievable control technology standard that the Administrator proposed or promulgated under part 63 of this chapter, the baseline actual emissions need only be adjusted if the State has taken credit for such emissions reductions in an attainment demonstration or maintenance plan consistent with the requirements of §51.165(a)(3)(ii)(G) of this chapter.

In the case of Continental, modified Mixer 5 currently does not require an RTO. Accordingly, no adjustment to the BAE would be required (for the RTO). If Continental were to make a subsequent modification (after issuance of this permit) and use the same baseline period, adjustment to the BAE would be required to account for the new RTO, as you have described. I have not seen any USEPA guidance that suggests that, in practice, BAE should be adjusted for future limitations, like in the case of Continental.

Regardless, they still did a poor job of the requirements in 40 CFR 52.21(r)(6). I think the way the numbers should be presented is:

	BAE	PTE	Increase	Increase w/RTO	Calculated OCE
Mixer 5 and die	3.21	7.77	4.56	1.61	64.69298246

	Adj. BAE	PAE	Increase
Mixer 5 and die	3.21	2.74335526	-0.46664474

This makes a lot of sense to me. We really shouldn't expect to see any increases when you have a small increase in production and add control to the unit. The only way you would see an increase is if the production increase was significant and the control efficiency was minimal. That is not the case here.

Thoughts?